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11 Attorneys for Intel Corporation

12 *(Additional counsel on signature page)*

13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 NORTHPEAK WIRELESS, LLC,

16 Plaintiff,

17 v.

18 INTEL CORPORATION,

19 Defendant.
20

Case No: 3:15-cv-5273

**STIPULATION TO RELATE CASES
UNDER CIVIL L.R. 3-12**

21
22 Plaintiff NorthPeak Wireless, LLC (“NorthPeak”) and Defendant Intel Corporation
23 (“Intel”) hereby stipulate as follows:

24 1. This action was filed pursuant to an order approving severance of certain claims
25 in a previously-filed, pending action in this District, styled NorthPeak Wireless, LLC v. 3COM
26 Corp., et al., Case No. 3:09-cv-00602 SI (the “Remaining Action”). A copy of the order of
27 severance (“Severance Order,” Dkt. 621 in the Remaining Action) is attached as Exhibit A.

28 2. Before issuing the Severance Order, on November 4, 2015, the Court held a

1 further case management conference in the Remaining Action. Following the conference, on
2 November 5, 2015, the Court issued a minute entry ordering counsel for Intel and NorthPeak to
3 “open a new case with the severed out claims, which will then be related back to Judge Illston.”
4 *See* Dkt. 620 in the Remaining Action, attached as Exhibit B.

5 3. Pursuant to the November 5, 2015, minute entry and to paragraph 3 of the
6 Severance Order, the parties stipulate that this action is related to the Remaining Action within
7 the meaning of Civil L.R. 3-12(c). Accordingly, the parties stipulate and jointly request that this
8 action be assigned to the Honorable Susan Illston, who is presiding over the Remaining Action.

9 4. The parties also stipulate and jointly request that all documents docketed in the
10 Remaining Action, from the initial Complaint (Dkt. 1 in the Remaining Action) up through and
11 including the Severance Order (Dkt. 621 in the Remaining Action), should be deemed to be
12 docketed in this action.

13
14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 

16 11/24/15

17 Date

18 Hon. Susan Illston

1 DATED: November 19, 2015

PERKINS COIE LLP

2 By: /s/ Chad S. Campbell

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18 Attorneys for Intel Corporation

19 DATED: November 19, 2015

20 By: /s/ Christian Hurt

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– and –

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Attorneys for Plaintiff NorthPeak Wireless, LLC

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTHPEAK WIRELESS, LLC,

Plaintiff,

v.

3COM CORPORATION, *et al.*,

Defendants.

Case No. 3:09-cv-00602 SI

**ORDER APPROVING STIPULATION OF
NONINFRINGEMENT AND FOR
SEVERANCE OF CLAIMS REGARDING
INTEL**

Judge: The Honorable Susan Illston
Courtroom 10, 19th Floor

Plaintiff NorthPeak Wireless, LLC (“NorthPeak”) and Intervenor Intel Corporation (Intel”) have filed a Stipulation of Noninfringement and for Severance of Claims Regarding Intel, Docket No.614. The Court has reviewed the stipulation and finds good cause to approve it.

Accordingly, IT IS ORDERED that:

1. The claims for declaratory judgment relief against NorthPeak in Intel’s Complaint in Intervention (Dkt. 339), the defenses and claims for affirmative relief against Intel in Plaintiff NorthPeak Wireless LLC’s Answer and Counterclaim to Intervenor Intel Corporation’s Complaint in Intervention (Dkt. 347), and all defenses in Intel’s Answer to Plaintiff NorthPeak Wireless LLC’s Counterclaim (Dkt. 373) are hereby severed (the “Severed Action”);

2. Counsel shall file documents comprising the Severed Action as a new civil action, with a new cover sheet and filing fee;
3. Counsel shall file a stipulation that the newly-filed Severed Action is related to the pending action within the meaning of L.R. 3-12(c); and
4. The steps set out in paragraphs 18-21 of the Stipulation of Noninfringement and for Severance of Claims Regarding Intel are approved. Upon the docketing of the newly filed Severed Action, NorthPeak and Intel shall cooperate to implement those steps.

Dated: November 5, 2015.



Honorable Susan Illston
U.S. District Court Judge

Exhibit B

Time: 15 minutes

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
CIVIL PRETRIAL MINUTES**

Date: 11/4/15

Case No. C-09-0602 SI Judge: SUSAN ILLSTON

Title: NORTHPEAK WIRELESS -v- 3COM CORP, ET AL.,

Attorneys for Pltf: Edward Chin, Christian Hurt

Attorneys for Deft: see attached

Deputy Clerk: Tracy Kasamoto Court Reporter: n/a

PROCEEDINGS

1) Further Case Management Conference -HELD by phone

Order to be prepared by: ()Pltf ()Deft ()Court

Disposition : () GRANTED, () DENIED, () GRANTED/DENIED IN () SUBMITTED
PART

Case continued to__for Further Case Management Conference

ORDERED AFTER HEARING:

The parties have agreed to sever claims and file a judgment on this case. Counsel shall open a new case with the severed out claims, which will then be related back to Judge Illston. Counsel shall prepare the order.

Defense Counsel:

Netgear: Ryan Smith

SMC Networks:

Sony Electronics/Sony Computer Ent.: William Dyer III

Link Systems/Zyxel Comm.: Duncan Palmatier

Acer/Gateway: Michael Ting

Toshiba America/Information Systems, Inc.: John Sethaus

Belkin Int'l: Kevin Murray

Epson America:

HP/3Com: Tom Davis

Dell: Steven Heminger & Ryan Koppelman

Asus: Alfred Bismonte, Jeremy Duggan

Viewsonic: Dana Herberholz

Buffalo USA: Russell Faegenburg

U.S. Robotics: David Bloch

Trendnet:

Fujitsu America: Daniel Hubin

Intel: Chad Campbell, Tyler Bowen, Aaron Matz

Matt Wade- client unknown